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IN SEARCH OF 'BASMATISTHAN'

Agro-nationalism and globalisation

Denis Vidal

It can't be many other domains where the defence of tradition is so utterly confused with the invention of new identities, of new natural species and of new definitions of places than agriculture. It may be due, for a part, to the fact that even the greatest enthusiasts of hybridity in all other domains of life seem slightly more reluctant to follow the same credo when it comes to what they eat. But it has probably more to do with the apparent intellectual inability nowadays - even in all good faith - to decide what is the most desirable for developing countries : is it to stick to the old policy of localism and self-subsistence? or should one rather recognise in the manner of Amartya Sen, the limitations of such a strategy and insist on the fact that « food self-sufficiency is a peculiarly obtuse way of thinking about food security »¹. My intention here - as an anthropologist - is not, however, to enter into such a debate. One becomes hardly wiser by delocalising the debate about the delocalisation of agriculture; but it makes sense to look at in a more historical and comparative perspective that it had generally been done until now. This is, at least, what I intend to show while examining more in detail the controversy which took place at the end of the nineties when an American company owned by Hans-Adam II, one of the merchant Princes of Europe, tried to patent *basmati* rice in the United States.

In recent years some American companies have tried to make use of some of the intrinsic ambiguities of American patent laws in order to appropriate commercial rights over various agricultural products and natural species that originate from developing countries. In particular, attempts have been made to patent turmeric, *neem* and *basmati* as 'novel' inventions in the United States despite the fact that all of these products have long been known and consumed for all sorts of purposes in India. Needless to say such dubious practices have not gone unnoticed. According to Vandana Shiva, a well known social and environmental activist in India, such activities are not just opportunistic; they signify a new form of colonialism: " This epidemic of piracy is very much like the epidemic of piracy which was named colonialism 500 years ago. I think we will soon need to name this round of piracy through patents as recolonization; as a colonization which differs from the old only in this - the old colonization only took over land, the new colonization is taking over life itself "; (SHIVA,1988-2)

Many other people - even if they do not go quite so far as Shiva - insist on the necessity of doing something against this type of appropriation. For example, one of the main objectives of Indian representatives of the World Trade Organisation is to obtain an extension of the application of 'geographic indication' to specific Indian products like *basmati* rice, Darjeeling tea and others. All of this helps to explain why it was considered such a dramatic 'victory' against the perils of globalisation when the American company which seemed to threaten the traditional South Asian monopoly over *basmati* finally

¹ Sen, Amartya "Freedom's market", *The Observer*, 25.6.2000

withdrew most of the claims of its patent because of the vocal public campaign and legal battle which had been conducted against it.

In this chapter, I argue that the whole episode takes on a very different meaning if one extends the analysis beyond the time-frame of the controversy itself, considering also what happened before and immediately after it. By adopting a more inclusive approach – and also a more comparative one – one may acquire, I believe, not only different insights concerning the specificities of this case but also a more comprehensive understanding about what is actually going on under the overused label, ‘globalisation’.

GLOBALISATION AND DELOCALISATION

Plenty of myths, all over the world, assume the existence of some sort of exclusive relationship between a particular place and the people who are supposed to have originated from it. But this does not prevent us from realising – whether we like it or not – that migration and displacements of all sorts are really the stuff that history is made of. It would seem however, that whenever it comes to the products of the soil, we seem to lose our sense of historicity. Instead we celebrate and rejoice in the exclusivity of the relationship between the appearance, the consistence, the colour, the flavour, the smell, the taste of myriads of foods or beverages and the places from which they come, places which they are supposed to express and emblematised.

The *basmati* controversy (1997-2001)

The adaptation of rice varieties from India to the United States does not exactly constitute a recent trend. If one believes the historians specialised in this question, it would seem legitimate to argue that such a process begun about 3600 years ago, when Malaysian traders introduced rice from eastern India to Indonesia. A next step followed when some time in the first millennium B.C. Austronesian traders – it would seem – took rice from Indonesia to Madagascar. And the more decisive move took place around 1645 when Dutch or English traders (depending on different versions of the account) took rice with them from Madagascar to South Carolina (DETHLOFF, 1988).

All of this would suggest that, contrary to what Vandana Shiva implies in her discussion of bio-piracy, there is nothing very new in the fact of appropriating ‘forms of life’ rather than ‘land’ in the history of international trade and colonialism. Moreover one could even argue that one of the most spectacular examples of this sort of behaviour has been precisely the way in which Americans appropriated not only rice of Asiatic origin during the second half of the seventeenth century; but also, African slaves who represented not only a free source of labour but also an equally precious source of expertise when it comes to the practice and *know-how* of rice cultivation (LITTLEFELD, 1981).

Viewed from this long term perspective, the fact that one of the last reigning merchant princes and one of the most important farmers of Europe, Hans Adam II of Liechtenstein, decided through an American company he owned, to adapt and patent *basmati* varieties of rice in the United States, seems like little more than an extension of a long-established historical trend – something Norbert Elias might describe as a slow continuation of the same civilisation process. Similarly, the fact of retaining the native name of a plant in this sort of case may be seen as not necessarily worse or more amoral than the other alternative of giving

it a new name. Moreover, the retaining of names has been a common habit as we see from the Inca origin of the term *tomato* and the Afghan origin of the term *carrot*.

However, as one might imagine, it is not in this lenient manner that the *Basmati* controversy has been perceived and interpreted in India. One has only to consult a fragment of the extensive literature on the topic to get a sense of the level of outrage that prevailed when it was announced in Indian newspapers in 1997 that an American based company had been granted a patent for *Basmati* in the United States. Most commentators in India seemed to interpret this as the revendication of exclusive rights about *basmati* rice in the United States, even if the claims included in this patent seemed to be, in reality, slightly less outrageous than implied.

I do not intend here, to enter into the details of the raging polemic which took place in recent years to determine more exactly the extent of the exclusivity and commercial privileges one could effectively gain by way of such a patent². Rather, I would simply like to recall two essential elements of the case:

- It appeared that RiceTec - the American based company which had asked for the patent - had tried effectively to appropriate for itself and to commercialise in the United States varieties of rice that originated from South Asia and which were close replicas of the ones which had been developed previously by farmers as well as by agronomists in South Asia
- And it appeared equally that the company has tried to legalise the right to retain the term *basmati* – if not precisely to designate – at least to define in a general manner these varieties grown on American soil while such term had till then been informally but exclusively associated with the superior varieties of *basmati* rice grown in South Asia itself.

Such attempts have been rightly considered scandalous, both in India and abroad. And in 2001, three years after the patent had been granted, a legal challenge and a particularly vigorous public campaign by various personalities and non legal organisations in India and abroad as well as by institutions directly associated with the Indian government left RiceTec little choice other than to withdraw nearly all its claims in order to avoid losing the case.

A new form of colonialism?

Viewed retrospectively, perhaps the most striking thing about this campaign, and to a large extent the key to its success, was the unexpected alliances it succeeded in creating between the most unlikely of partners.

- For example, the relationship between Pakistan and India had probably never been so tense in recent times as during the period of the *basmati* controversy, yet this has been one of the few instances where the two countries not only showed a certain amount of solidarity but also co-operated against the common threat. This is still more surprising when one realises that until this time, India and Pakistan had in fact been the two main competitors in the *basmati* rice market.

² For the details of the case, see Uzma Jamil, 1988

- Similarly, agronomists who had promoted the green revolution were now allying themselves with those who had most vehemently opposed it.

- In the same vein, personalities and organisations who normally systematically denounced the globalisation and liberalisation of the economy were now allying themselves with governmental organisations and the lobby of Indian exporters whose main function was precisely to promote globalisation.

What was particularly interesting about this case was the way in which it was formulated not so much in terms of a neo-liberal policy versus a socially and ecologically conscious one but rather as some sort of national affront for India, if not a wider regional affront for the whole of South Asia. In India people were asked to rally behind the defence of *basmati* as they might be asked rally behind the defence of the flag. Comments like, “India is *basmati* and *basmati* in India” were heard in the Indian parliament. People who might under normal circumstances be at loggerheads seemed suddenly to unite against this common threat; and, as I mentioned before, this seemed to promote not just a surge of nationalism but also the development of something akin to some form of pan South Asian patriotism.

Until recently *basmati* had in fact been traditionally associated with very specific regions of India and Pakistan. Because of such associations, it would have been difficult to imagine that *basmati* (even if one takes into account the Sanskrit origins of the term which may be approximatively translated by ‘superior fragrance’) could suddenly acquire the status of a national and quasi-religious icon in India. And it is still more surprising to notice that it was not only Indian or Hindu nationalists who indulged in such a game but also well known personalities whom one would not normally associate with such forms of nationalistic rhetoric. There is a certain irony in the fact that the very people who celebrate all forms of hybridity in culture seem largely unwilling to contemplate it with the same enthusiasm in agriculture.

The unusual alliances that the *basmati* controversy evoked were made possible because the whole episode was seen not only as an act of commercial piracy but, more fundamentally, as the expression of a new form of colonialism. And there is little doubt that such rhetoric had a powerful impact. However it is important to remember that such historical parallels can be misleading. I will argue that one can not effectively understand the issues at stake in controversies like the one concerning *basmati* by analysing it too exclusively through the prism of the asymmetrical relationship between developed and developing countries or even between the interests of the small farmers of the South and the multinationals of the North.

One trend may hide another one

The rapid delocalisation of production constitutes undoubtedly one of the most important and also one of the most explicit dimensions of globalisation. This is true in the case of agriculture as in any other domain. When the products delocalised are ones that were previously associated with a very particular part of the world and with a specific culture, then the visibility of the process becomes more apparent. What made the *basmati* case so spectacular was the fact that until recently this rice had been so obviously identified with South Asia. There was also the fact that at a time when globalisation was under frequent attack as being the last invented device for exploiting post-colonial countries, the *basmati* controversy appeared to present such a perfect demonstration of the point. But while the exploitation of the South by the North should be carefully taken into consideration in any

analysis of the globalisation process, one should not forget either that the delocalisation of production is a much larger multi-directional process where all sorts of strategies are simultaneously implemented. This is something that is best demonstrated by moving away from *basmati* altogether for a moment and considering the delocalisation and relocalisation of products elsewhere in the world. To put it another way, how might an understanding of French wines and Himalayan apples aid our comprehension of the *basmati* case?

The case of French wines

There are at least four elements that are supposed to determine the quality of French wine : *le terroir* (the place where grapes the grapes grow with all its characteristics) , the year of production, *le cepage* (the variety of grape used for making the wine) ; and the process of the wine making . And it is certainly admitted by connoisseurs that each of these elements – if not many others - should be considered as equally important for defining the quality of a wine. In the French tradition, however, with the exception of a few regions like Alsace or Champagne, it is usually only the place of origin of a wine and – to a lesser degree - its age that are taken into consideration explicitly by consumers when selecting wine to buy or drink. For example, most French people ignored until recently the fact that Bourgogne wines are made with only one variety of grape (Pinot noir) while different Bordeaux wines combine a variety of them in diverse proportions (Merlot and Cabernet Sauvignon, in particular).

The exclusive importance given to place of origin and age helps to explain why a rather strict correlation can be made in France between the reputation and the price attributed to a particular wine and the ability to pinpoint as precisely as possible the exact location where the grape has been collected for making it. One should not conclude too quickly however that such an emphasis is necessarily ancient or co-substantial with anything particularly representative of French culture. It is true that the place of production has never been ignored - especially in the case of the most prestigious vintages - but the systematic importance given to geographic indication throughout the 20th century is a relatively recent development, which is linked on the one hand to the history of the French vineyard, and on the other hand, to the evolution of the legislation in this domain from the end of nineteenth century onward. What I would like to focus on here, however, is another rather paradoxical consequence of this not so ancient tradition which has emerged more recently.

There is a very deliberate strategy followed nowadays by many of the relatively new wine-producing countries all over the world to move away from the French manner of defining and classifying wines towards a stress of different criteria by which wine is defined and appreciated. This is done in particular by putting commercial emphasis on the grape, the label of the company or the process of vinification rather than on its place of origin or its age as such. The obvious advantage of such a strategy is to undermine the hierarchy which benefits the countries who have a more anciently established reputation for wine-making. And if such a strategy is successfully imposed globally, in the way it has been imposed in say, in the British market, then France may lose much of its comparative advantage in the wine making industry and will have to build its importance anew. That such a new fashion may take off in France itself is shown by the fact that it has begun to be followed in traditionally less renowned wine-producing regions like the Languedoc, in order, once again, to shake up the wine hierarchy. What we are witnessing here then is the delocalisation of wine from what was once considered its most obvious territorial strongholds.

If I mention the case of French wines here, it is not simply because I am French; but rather because the example of French wines and Champagne have constantly been put

forward in India during the recent controversy concerning *basmati* in the U.S. The reference crept in regularly in order to show the difference between the legal protection granted to exclusive agricultural products in developed and in developing countries. The idea behind such a comparison was to demonstrate that if the Indian government had more effectively given legal protection to Indian agricultural products in the way the French government did, no American company would have dared attempt to appropriate such products as *basmati* and turmeric.

The comparison seems fair enough. It is indisputable that – due to the insistence of successive French governments - spirits and alcohol nowadays benefit from a unique level of legal protection in the international trade. As a matter of fact, it is only from that some legal and institutional process has begun at the international level for extending to some other very specific agricultural and comestible products the sort of the legal protections which had been exclusively granted now for a few decades to wines and spirits. However, the conclusions that may be drawn from the *basmati*/wine comparison are not as clear as they may at first appear.

The first thing one may point out is the fact, that in order for such a comparison to be really convincing, varieties of rice, should be compared – at least until very recently – not so much to wines as such, but rather to the varieties of grape used for making wine. And from this point of view, it soon becomes clear that the new focus nowadays put on varieties of grape rather than on place of origin is in fact a strategy for by-passing the advantages that countries like France had in the wine market.

One may also notice that the French names of the best known varieties of grapes (Sauvignon Pinot, Cabernet, Chardonnay, Merlot, Gamay, etc...) have been imported and retained by the new wine-producing countries who compete with them on the international market; rather like the Americans wanted to retain the term *basmati* for the rice grown in the United States. Furthermore not only are most of these names of varieties of grape actually French words but in some cases they are also geographic place references in France. Moreover, just as in the *basmati* case, wine producers of other countries do not hesitate to claim quite openly that their Merlot, Sauvignon Blanc and other Chardonnay are better and often less expensive than the French equivalents.

So what this comparison demonstrates is not only that there is a difference in the way products of the North and the South are protected; but also that such legal protection is less effective than many would like to believe. What one finds in today's global economy are systematic attempts - both in the North and in the South - to dissociate the previously more exclusive links once held between certain products and specific places, and to adapt the production process elsewhere for commercial purposes. While in the *basmati* case it is a product of the South that is being transplanted and produced in the North, in the wine case it is a product of the North (France, Italy etc.) that is being transplanted and developed by countries of the South (Argentina, Chile, etc.) as well as other areas of the North (United States, Australia, etc.).

Now that we have delocalised the debate surrounding *basmati*, let us move on to examine another case of the relocation of an agricultural product, this time in a region very close to the place where *basmati* is traditionally grown. What I want to consider is the transplantation of the production of apples to Himachal Pradesh in India – a case which seems to exemplify the reverse trajectory to that raised by *basmati*.

The case of Himachali apples

Before introducing the case of the Himachali apple, I would like to return briefly to the comparison made earlier between eco-piracy and colonialism. One point on which the multiple critiques of colonialism that have emerged during the recent decades agree is that one can not make sense of such a phenomenon as colonialism by reducing it to a simplistic dichotomy between colonisers and colonised people (BAYLY, 1983). Rather one must understand not only how colonialism has been imposed upon diverse societies, but also more fundamentally, how these societies - or, at least, certain sections of their population - identified, at least partially with it. It is in this context that I would like to introduce the case of apples in Himachal Pradesh.

Himachal Pradesh has long been known for the richness of its flora and fauna (or what is better known today as the extent of its bio-diversity). Nowadays, however, in India, Himachal Pradesh is certainly renowned, more than anything else, for the apples that grow there, the production of which has considerably increased the prosperity of the State and of its inhabitants. One should also notice that such apples bear rather 'exotic' names - such as *Delicious*, *Golden Delicious*, *Royal Delicious* - and that nearly all the production is intended for export, with the Middle-East being their main destination, just as in the case of *basmati*. So it may be also worth recalling here, very briefly, how Himachal Pradesh developed itself as an apple growing State.

It all began in 1904 when Samuel Evan Stokes, a missionary from a wealthy Quaker American family, came to Himachal in order to preach the Gospel. After a few years in the region however, it was he who became the convert. Not only did he convert to Hinduism; but he also married locally, had several children, took an Indian name and became Indian by nationality. This did not deter him however from keeping up the enterprising spirit that every American is supposed to possess. So with the aim of helping the local development of the region, he decided in the nineteen twenties to import a few apple trees from the United States and see if they could grow in the part of Himachal where he lived (SHARMA, 1999). After a few years, the economic success was such that more and more people began to imitate him, gaining access to incomes they had never even dreamt of.

Now, at the time that I was doing fieldwork in Himachal in the early nineteen eighties, I was deeply impressed by the way people managed to secure high degrees of self-subsistence with very small plots of land. And I can also attest to the contrast between the great pride and deep appreciation that people had for the best qualities of rice growing on their land, compared to the utter contempt they had for apples, which they refused to consider as real fruit. Their only personal use of the apple was to plaster it in salt as a snack to be had while drinking, or to offer generous box-loads to officials and civil servants in the hope of buying their favours cheaply. But none of that deterred the people from considering that there was no greater fortune in life than to dispose of a plot of land which could be profitably converted into an apple orchard.

As far as I can judge, on the basis of the farmers I met in Himachal, who contemplated the possibility of transforming the small plots they possessed into orchards, they did not ignore the risks and initial costs it would involve for them. But they felt also that if the land they possessed offered them the opportunity of conversion to orchard in a manner that may one day be profitable, they probably had to go along with it, for the sake of their families and of their future.

In Himachal Pradesh, then, following more ancient trends which begun under the late phases of colonisation, we find apple varieties that originated from the West imported to India and marketed under their western names without anyone appearing to complain too much about it. As I will show it now, however, the irony however is that structural consequences of this latter case are not so different to the ones that one may observe in the *Basmati* case: at least, when one reconsiders the *basmati* controversy in its real context.

GLOBALISATION AND RELOCALISATION

Inventing *basmati*

The *basmati* controversy has been presented as a dramatic confrontation not only between two opposite ways of practicing agriculture but also two different modes of reasoning in relation to the product. In India, for example, it is often argued that it is reductionist to consider *basmati* as a mere commodity. Rather, it should be seen as a depository of religious and social values. At another level, the characteristics of *basmati* have been repeatedly attributed to the particular qualities of the sub-Himalayan soil where it has traditionally grown. Finally, *basmati* rice was often described, during the controversy, as the collective creation of the generations of small farmers who cultivated it. According to adversaries of the patent, it was only because of the anonymous labour of these poor farmers that the rice had slowly evolved not only as a rice variety ideally suited for this part of the world, but also into one of the best ever varieties of aromatic rice that exists anywhere. No other rice variety grown in another environment could share the same characteristics as authentic *basmati*; and to describe such pale imitations as *basmati* was not only a spoliation of Indian cultivators, it was also a fraud and a misnomer.

But for the American company who tried to patent it, the term *basmati* was simply considered a generic term, which referred basically to the specific characteristics which defined this particular variety of aromatic rice and differentiated it from the hundreds of other ones whose samples were equally available in..... in the United States. Their argument was that if it could be shown – preferably with the help of ‘scientific’ tests – that newly created varieties of rice shared most of the same characteristic as *basmati*, then there was no reason why one could not legitimately define them as such, independently of where they were cultivated.

According to such reasoning the South Asian origin of *basmati* was merely circumstantial; and if it could be used to prove anything, it was precisely the opposite of what adversaries of the patent intended: for if one admitted that *basmati* corresponded only effectively until now to a purely south Asian variety of rice whose qualities were supposed to be linked solely to a specific South Asian environment, then surely this was the best proof that a rice variety which shared the same formal characteristics as *basmati* but was being cultivated in the United States, could legitimately be considered as a ‘novel’ invention of the US. The irony however is that in spite of being diametrically opposed, both definitions of *basmati* by the defendants and opponents of the patent shared one thing in common, and that was a relative disdain for serious empirical evidence.

As far as the RiceTec patent was concerned, it soon became clear that their claims had very little empirical basis. Most of the claims seemed to be of a very notional nature; and the judges who had to reconsider these in the legal case that followed did not seem to be very impressed by their content. Some of the claims, however, referred more specifically to the hybrid varieties that RiceTec had effectively adapted in the United States; It was not the company’s ability to produce these varieties, nor their right to patent them as ‘novel’ that was

contested, but rather their right to call these varieties '*basmati*'. It may be true that some *basmati* of Asian origin had been used in their development and that some of their characteristics were effectively close to known varieties of Asian *basmati*; but these had been combined with other varieties of rice of different origins so that they had many other characteristics that had very little to do with Asian *basmati*. So even if one did not take into account the fact that the new varieties developed by RiceTec had been cultivated in the United States and if one also accepted the idea of using *basmati* as a generic term, it still seemed a serious misnomer to characterise this American rice as *basmati*. Altogether, the rather shaky evidence on which RiceTec based its claims must have been pretty obvious; because once it became evident that it would be legally challenged, the company preferred to withdraw most of its claims, apparently conscious that it would certainly lose the case. But if the dubious nature of this patent has been largely exposed during the controversy, what did not appear so clearly was the fact that the alternative representation of *basmati* made by opponents of the patent was, in reality, equally unconvincing.

In criticizing RiceTec's claim to the use of the name *basmati* as a generic term, opponents of the patent preferred certainly, however, to ignore discreetly the contemporary uses of the term in India itself: because if one pays minimal attention to the commercial practices associated with *basmati* in the years immediately preceding the controversy, a very different picture emerges.

Before the controversy

Basmati may have a very ancient and distinguished past in India; but the fact remains that it is only from the nineteen eighties onwards that its mass production really begun to take off there. The reason for its relatively low production until these years, is due to the simple fact that, in India as in China (in contrast to what is happening for example in Pakistan or the United States) most rice cultivation is oriented principally towards the domestic market.

What characterises *basmati* is not only its taste and quality , but also the fact that it has a relatively low yield compared to other rice varieties and that it also takes relatively more time than most other rices to mature. So, one can easily understand why the production of *basmati* , which has always been seen as a luxury food in India, was not considered a priority in the agricultural policies of successive Indian governments. Until the last decade the main priority of all Indian governments was to ensure the self-reliance of the country in terms of agricultural production. This also helps to explain *a contrario* why *basmati* has long been the only segment of the rice market which had escaped State control and remained entirely in private hands. Moreover, what really distinguishes the *basmati* market from the main rice market today is the fact that for many years now, it has been oriented almost entirely towards export. So, far from having been threatened by the privatisation and liberalisation of trade, like many other agricultural sectors in India, the fortune of this particular market has been directly linked from the start to the very progressive opening of Indian agriculture to the outside world, and more generally also, to the liberalisation of trade. As a matter of fact, the *basmati* market has not only benefited from the development of the world market ; it is the export market that has been its key *raison d'être* both at the level of production and at the level of consumption.

More generally, what characterises the international demand for *basmati* - by contrast with the demand for lesser varieties of rice – is the fact that this is a market which on the one hand is in full expansion but on the other hand is not threatened by overproduction. The growing demand for *basmati* today is fuelled not only by the increasing number and

prosperity of the South Asian *diaspora* communities in different countries but also by a more general rise in the appetite for high quality foods among middle-class populations all over the world (KRISOFF and al.2000). So, in spite of the harsh competition from Pakistan, the real problem faced by Indian exporters of *basmati* has little to do either with problems of demand or problems of pricing. According to Indian *basmati* traders, their real limitation is the insufficient level of production of *basmati* rice in India. Put another way, Indian *basmati* is in short supply, both in terms of quantity and in terms of quality. This may explain some of the recent problems that traders have had to confront.

While I was doing my fieldwork in the wholesale grain market of Delhi in 1997, Indian exporters were concerned that the *basmati* export trade would suffer owing to the dubious quality of some of the shipments sold abroad the previous year. And if one believes the numerous reports and comments made by Indian exporters, the situation does not seem to have improved. One main reason for this is that there have been until now very few controls in India to insure the precise quality of the rice labelled *basmati* when it is sold for export. This meant not only could any variety of aromatic rice that more or less fitted the appropriate criteria could be labelled *basmati*; but also that the less scrupulous exporters were mixing real *basmati* with cheaper varieties of rice in order to boost their profits.

The problem is that in the internal market it is much more difficult to get away with such practices because the quality of rice being sold is rarely taken for granted and is carefully checked at different stages of the marketing chain by intermediaries and traders as well as by the final buyers; but such a form of informal control is much less effective in the case of exports when huge quantities of rice are sold to distant customers (VIDAL, 2000). And it is in light of the absence of more institutionalised quality checks and precise rules of labelling - such as those found in Pakistan - that the general reputation of Indian rice exporters is at stake and the Indian rice trade as a whole may suffer in consequence.

There is however another reason which has played an equally important role in changing the definition of *basmati* in recent decades. It is not only in the wicked world of American agro-alimentary companies that one finds the term *basmati* being used in a more or less generic manner. There is little doubt, for example, that both Indian and Pakistani agronomists had very similar notions in mind when they sought to develop new varieties of *basmati* by cross-hybridising *basmati* with other rice varieties. As in the American case, their aim was to create new varieties of rice which could be more resilient, quicker to mature and would provide higher yields than the ones which had slowly evolved under the care of small cultivators while at the same time retaining the qualities of earlier varieties. Moreover another potential 'asset' of such hybrid varieties of *basmati* is supposed to reside in their adaptability to different soils and climates which means that their cultivation can more easily be delocalised, whether in India or..... elsewhere.

As one may also imagine, real connoisseurs have been quick to argue that even the best hybrids can only superficially compete with more traditional varieties of *basmati*. In spite of their similar appearance and more or less similar characteristics, the former are dismissed for their 'blandness' by comparison to the 'real thing'. But if one takes into account both their greater availability and their lower price of production, one is not surprised to learn that it has become common practice in India to identify hybrid varieties as 'real' *basmati*; and they have been commonly sold abroad under this prestigious label. The irony is, of course, that one could argue that the American company, RiceTec, was simply pushing to the extreme a tendency which begun in India itself.

Reinventing *basmati*

Largely because of this controversy, there is now a consensus in India that there may be only one way to prevent the term *basmati* from being used as a generic term abroad in the future and that is to get *basmati* officially acknowledged as ‘a geographic indication’ and recognised as such by the WTO.

As I showed before, by examining briefly the case of French wines, such a legal status would not prevent all forms of international competition; but at least, it would prevent the sort of dubious practices which had been at the heart of the *basmati* controversy.

Independently, however of this former point as well as of the many difficulties that such a move may imply in terms of trade negotiation, a prior condition to this is obviously to make sure that the production of *basmati* in India fits the official criteria of geographic indication. According to the WTO definition geographic indication applies to names “ which identify a good as originating in the territory.....or a region or a locality in this territory, where a given quality, reputation, or essential characteristic of the good is essentially attributable to its geographic origin”³. But, paradoxically enough, it is not entirely obvious to prove that *basmati* corresponded effectively to such a definition.

One of the first things that was noticed during the controversy was the fact that in spite of India having always been a great place for all sorts of surveys and gazetteers, there were no reliable inventories concerning the exact details and the precise distribution of the rice varieties commonly termed *basmati*. But the problems were not exclusively due to the lack of reliable official information. The point was also that hybrids had always played a significant role, in India itself, in blurring the frontier between what should be labelled as *basmati* and what not.

It is also interesting to note, however, that – whatever may have been the commercial *rationale* – it is Indian exporters who have, till now, been most vocal in their insistence that hybrid varieties should not be labelled as *basmati* anymore, however much the closeness of their resemblance to the real thing. The irony is, however, that once such a decision seemed to be accepted – traders being always traders – insisted that one could still mix such hybrid varieties *with basmati*, on the condition that the quantity of hybrids should not exceed 30% of the whole mixture. As one might imagine, this is not exactly the sort of concession which will help to restore the reputation of Indian *basmati* abroad.

Another difficult decision which had to be taken, in order to make sense of the notion of ‘geographic indication’ was to limit much more precisely the area where varieties of aromatic rice could legitimately be labelled as *basmati*. Here also, it was not such an easy task for it involved a certain degree of controversy and politicking at the border zones such as parts of Bihar and Rajasthan where nobody had ever contested until then that the rice produced as *basmati* could be labelled as such.

Finally a further step was taken very recently by Indian exporters when they lobbied to ask the Government to forbid Indian agronomists from interfering with *basmati* by manipulating it genetically. Genetic modification is of course one of the most important but also most controversial trends in contemporary agriculture. As one might easily imagine, there is a section of the Indian scientific community that is rather keen to play its part in its evolution. But Indian traders – as well as Pakistani ones – have argued – to the contrary – that, for the time being, it would certainly be a mistake to play this game in the case of *basmati*, owing to the risk of jeopardising the demand for *basmati* abroad⁴. It is rightly recognised that the sort of middle-class clientele, ready to pay a premium price for getting the best varieties of rice, were not necessarily the best cobayes to enrol in the food industry.

³ Article 22 of TRIPS, July 1995, see Berkey, 2000

⁴ see “Ban on genetically modified *basmati* rice sought” *Dawn*, 20.11.2002; “ban on tinkering with *basmati*” *The Economic Times*, Delhi, 3.6.2003

Indian agronomists and Indian traders may then have fought shoulder to shoulder in the battle to prevent the American threat to the south Asian monopoly over *basmati*. But this did not mean that their respective motivations would not rapidly diverge after that. Fundamentally, in India as elsewhere, many agronomists cannot resist the temptation of reinventing nature (VISHNAWATHAN, -----); and it is this that distinguishes them from the traders who obey a more flexible commercial logic: if there is any economic advantage in completely reinventing what was previously defined as *basmati*, then most of them would accept the logic of doing so; but if their commercial interest lies – on the other hand – in insisting on the integrity of the product, then this would be the path they would follow. Ideally of course, they would prefer to benefit from both commercial logics together; as indeed some are already doing when they simultaneously advertise both organic and genetically manipulated rice; but it is not always possible to do this.

What one appears to be witnessing in the case of *basmati* in India is a curious shift of alliances between exporters, the agronomists, and militants. While for decades, the interests of agronomists and Indian traders had seemed close, in the recent controversy it was with ecologists and anti-globalisation militants that Indian exporters continued to find common ground for a longer time. However, as one might imagine, such an alliance could also be only temporary.

Creating *basmatisthan*

For many years now, both Indian traders and the Indian government have been conscious that the main impediment to *basmati* exportation is not so much the competition but the insufficient supply of quality *basmati* for sale in the global market (JASOL, 1987). And everyone involved in the trade is also painfully conscious that such dubious palliatives as the adulteration of pure *basmati* or the naming of new hybrid varieties developed by agronomists as *basmati*, are the worst ways of dealing with the problem in the long term.

For several decades now both Indian rice exporters and the Indian government have become conscious that the only real way of increasing *basmati* production in India is to completely transform the way in which it is cultivated. Furthermore, as I mentioned earlier, if Indian traders disqualified finally the use of hybrid varieties and of genetically modified rice varieties as *basmati*, it is not for any political or ideological reasons but for purely economic and commercial ones. Similarly, their willingness to define clearly the area where *basmati* should be labelled as such, has little to do with a wish to defend biodiversity or the patrimony of local farmers. Yet, the very specific interests of traders seemed to coincide, for a while, not only with the general policy of the government which is progressively choosing to favour export over self-reliance in agriculture; but also more surprisingly still, for a while, with the objectives of alternative ecological movements.

One of the most important initiatives of the State administration in this matter has been the administrative effort made in recent years to establish specific areas – known in bureaucratic jargon as *agri-export-zones* (A.E.Z.) - where everything should in theory be organised in order to encourage the production and commercialisation of particular agricultural products which may have a real appeal on the international market. The apple-growing valleys of Himachal Pradesh would constitute one of these zones; and this is also the case for the regions of northern Punjab where *basmati* has traditionally been cultivated but where its production has virtually ceased for simple economic reasons. Now there is little doubt that such a state policy – most favourably welcomed by big Indian exporters and big agricultural firms of the region - is completely contradictory with the sorts of aims which

have been systematically put forward by ecological militants and anti-globalisation activists like Vandana Shiva during the *basmati* patent controversy.

First of all, the very idea that any Indian region should be principally dedicated to the monoculture of any agricultural product destined for export, constitutes a complete anathema for those whose aim is, to the contrary, to promote the ideals of self-subsistence and biodiversity. But the whole thing is made worse because it is also strongly recommended that, in such areas, not only should farmers dedicate themselves to monoculture; but they should also cease to take individual or collective initiative in how they select or cultivate seeds. What is basically expected of them is that they should use exclusively the seeds promoted to them by agronomists; and that they should also strictly follow the recommendations made to them concerning the cultivation process. It is precised, for example, in government recommendations about Agri-Export-Zones that “the Government must ensure seed replacement at least once in three years by growers and breeders to identify and remove off-types to sustain seed quality”⁵. Concretely this means not only that the wide variety of seeds which are considered the common heritage of small cultivators would be wiped out in a matter of a few years; but also it would mean the disappearance of traditional practices – like seed-sharing exchange -which are said to be at the heart of the collective practices of the local farmers.

The general philosophy behind such a government policy is, in reality, the same one which has been promoted for many years now, all over the world, by agro-commercial firms; and it is, quite simply, the logic of contract-farming. As a matter of fact, agricultural areas where *basmati* is cultivated have now become some of the regions of India where contract-farming has developed most quickly; and it is not uniquely the State of Punjab which would have specifically chosen to encourage contract-farming; that is held up as an example for other Indian States to follow⁶.

Conclusion

For many eco-activists, the *basmati* controversy has become emblematic of the sort of resistance one might successfully put up to oppose globalisation. And as far as biopiracy or the delocalisation of indigenous products are concerned, such an interpretation makes sense. There are however other aspects of this controversy which do not fit so well with the ideology of ecological movements. One may notice, for example, that – even if one rightly condemns the dubious attempt to substitute an American ersatz for real *basmati* – one has to recognise that as far as the American market is concerned, any attempt to answer a local demand by a local supply would appear to go against the trend of globalisation while, on the other hand, an agricultural policy like India’s which privileges the export of *basmati* abroad would appear to be promoting global trade. Another consequence of the actual policy followed in India is to redefine the characteristics of *basmati* according to the expectation of international demand. Such a trend may of course meet with the temporary approval of social activists and ecologists in its emphasis on intolerance of the adulteration and eventual genetic manipulation of *basmati*. But the activists will no doubt be less enthusiastic when they recognise that in order to obtain the sort of *basmati* which satisfies the exacting requirements of Europeans and Americans, cultivation and initiative is being taken out of the hands of local small scale farmers; and that what is happening is that traders and exporters are being given the power to make sure that they get the right stuff on their own terms, even if this means that they control the entire process from the choice of the seed to the final stage of its marketing.

⁵ the tribune, 30.9.2002. Chandigarh

⁶ “focus Punjab: transforming agriculture” *Frontline*, Volume 20 - 08, April 12 - 25, 2003

Finally, the game was really over when it was agreed by the government, a few months ago, that small cultivators would now be allowed to sell their *basmati* directly to whomever they want, including non-Indian firms⁷. While such a decision may - in the short term- help cultivators to break the monopoly of the intermediaries, rice millers and Indian traders who exploited them, the danger remains of establishing new sorts of very unequal relationships between small farmers and Indian or foreign agricultural firms.

So, if such a policy is allowed to prevail, one will not have to wait long before the requirements for the demand for Indian *basmati* are totally defined abroad and its production largely under the control of foreign firms. Of course, Indian people may still find consolation in the fact that *basmati* will remain a product both of Indian labour and of Indian soil; but can anyone really consider the fact of containing biopiracy a success if the alternative is to return to something even closer to an earlier form of colonialism. After all, wasn't one of the main vocations of colonial countries to supply the West with raw delicacies?

⁷ “*Basmati* farmers allowed to sell abroad” *Economic Times*, 5.4.2003

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